

## **Questions received by 5 pm on September 17, 2014, with responses**

### **Questions from Representative #1**

#### **Regarding #FY2015-RFGA-CY-503 (Title V, Section 510)**

- 1. If applications were submitted by the original deadline and qualify for funding, what allows SC DHEC to legally ignore the applications, reopen the RFGA process after the deadline passed, and make substantial changes to the RFGA?**

SC DHEC is not ignoring the applications submitted by the original RFGA deadline. DHEC made changes to conform the RFGAs to the state proviso and the federal grant requirements. Applicants may resubmit or modify applications.

- 2. Considering that #FY2015-RFGA-CY-503 closed September 12 at 2:30 P.M. before which time applications had been submitted, and considering that page 2 of the original RFGA states that “deadline times will not be adjusted”, why is an award now available to organizations that did not submit an application on time?**

The RFGAs were republished to correct misinformation in the original postings. No applicant is prejudiced by the reposting.

- 3. Was the original RFGA language questioned by the time that questions were due (by Sept 2 at 2 P.M.)? If so, are there questions that were not made public for all applicants to see when the Q&A were published, and if so what are they? If not submitted for public inspection by the time questions were due, would such questions be allowed to change the original RFGA requirements?**

Two prospective applicants filed appeals with the program manager and with the Program Area Director. The appeals were timely filed. Responses to the appeals to the Program Area Director were finalized and sent to appellants the afternoon of September 11, 2014. During the appeals reviews, independent reviewers discovered some inconsistencies between the state provisos and the RFGA language. Changes were recommended to more fairly apply review criteria based on the language of the state provisos and federal grant requirements. The documents are available to the public.

- 4. While this new RFGA is presented on the SC DHEC website as an “extension” of time, this is in fact not the same RFGA at all because there are substantial changes. Why was this RFGA changed so substantially?**

As stated, the changes were made to conform the RFGA to the language in the legislative provisos and federal grant requirements.

- 5. Question withdrawn.**

**Regarding #FY2015-RFGA-CY-501 (State)**

- 1. If applications were submitted by the original deadline and qualify for funding, what allows SC DHEC to legally ignore the applications, reopen the RFGA process after the deadline passed, and make substantial changes to the RFGA?**

SC DHEC is not ignoring the applications submitted by the original RFGA deadline. DHEC made changes to conform the RFGAs to the state proviso and the federal grant requirements. Applicants may resubmit or modify applications.

- 2. Considering that #FY2015-RFGA-CY-501 closed September 12 at 2:30 P.M. before which time applications had been submitted, and considering that page 2 of the original RFGA states that “deadline times will not be adjusted”, why is an award now available to organizations that did not submit an application on time?**

The RFGAs were republished to correct misinformation in the original postings. No applicant is prejudiced by the reposting.

- 3. Was the original RFGA language questioned by the time that questions were due (by Sept 2 at 2 P.M.)? If so, are there questions that were not made public for all applicants to see when the Q&A were published, and if so what are they? If not submitted for public inspection by the time questions were due, would such questions be allowed to change the original RFGA requirements?**

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As stated, the changes were made to conform the RFGA to the language in the legislative provisos and federal grant requirements.

- 5. Question withdrawn.**

## Questions from Representative #2

Questions regarding Abstinence Education RFGA #s FY2015-RFGA-CY-501, 502, & 503.

1. **The Title V and Emerging Programs RFGAs (502 & 503), in the Instructions to Applicants, B. g. requires 15% of the proposed budget to be spent on an independent evaluator. There is not a similar requirement for the Evidence-based Programs RFGA (501). Was this an oversight or this not a requirement for the Evidence-based Programs RFGA?**

The language you reference is specified in Proviso 34.49. It is not an oversight. There is no similar requirement in Proviso 34.50.

2. **The Title V RFGA (503) Scope of Proposal, item D.3. states “Title V Section 510 Abstinence Education Grant Program applications are accepted only from the State’s authorized representative responsible for the administration of Section 510 with funds dispersed at the State’s discretion.” Can you please explain what this means?**

This is language directly from the federal grant agency explaining how states can apply to the federal government for these grant funds.

3. **Is an interview still required of Title V applicants?**

No, an interview is not required of Title V applicants.

4. **Also, an “external review panel” is mentioned in all three RFGAs regarding the evaluation of applications. Is it possible to recruit new review panel members this year? [information omitted to remove reference to individual who previously served as panelist] Is it possible to solicit reviewers who actually support the abstinence-until-marriage paradigm?**

Following the amendments to the RFGAs, DHEC is in the process of identifying participants for an independent external review panel. DHEC will endeavor to ensure that all panel participants are independent and unbiased.

## Questions from Representative #3

1. **State Proviso 34.49 Emerging Programs on page 7 of 28 and State Proviso 34.50 Evidence-based Programs on page 9 of 30 state applicants must show proof of a Federally Certified Institutional Review Board (IRB) Agreement for review of program and evaluation processes and protocol; and must provide proof the IRB's approval prior to program implementation.**

**Question: Will applications that do not have an IRB Agreement be ineligible and therefore, rejected from being reviewed by the review panel?**

Proof of a Federally Certified IRB Agreement is mandated by the proviso. Grant applicants who do not meet this requirement are not eligible to receive an award.

2. **State Proviso 34.49 Emerging Programs page 6 of 28 states applicants must allocate a minimum of 15% of dollars (\$100,000) for a third party evaluator to assess both process outputs and behavioral outcomes of the program.**

**Question: Is it the intent of the Legislature to require an applicant to spend a minimum of \$15,000 on a third party evaluator (IRB) to evaluate a program that is already certified evidence-based and medically accurate and has published peer reviewed studies showing the effectiveness of the program applied for?**

DHEC cannot respond concerning the intent of the Legislature. Proviso 34.49 requires applicants to allocate a minimum of 15% of the budget for a qualified 3<sup>rd</sup> party evaluator to assess both process outputs and behavioral outcomes of the program. Applicants must provide proof of an agreement with a federally certified IRB for review of program and evaluation processes and protocol and must provide proof of the IRB's approval prior to program implementation. These requirements are in addition to the requirement that proposed programs/curricula must be certified as medically accurate by a government or private agency that has the capacity to provide a quality review of materials for medical accuracy.

3. **State Proviso 34.49 Emerging Programs page 5 of 28, State Proviso 34.50 Evidence-Based Programs page 7 of 30 and Title V CFDA 93.235 state the SMART format is to be used for objectives.**

**Question: Is it the intent of the Legislature and/or DHEC to use a specific SMART format and is there a template or form for the required SMART format for applicants to use? Is the SMART process supposed to coincide with the requested Logic Model and is it the same Annual Work Plan (page 9 of 28 Emerging, 10 of 30 Evidence-based, Title V 10 of 33) under Performance Measures?**

DHEC cannot respond concerning the intent of the Legislature. Federal guidelines are available at [http://www.acf.hhs.gov/grants/open/foa/files/HHS-2014-ACF-ACYF-AEGP-0950\\_0.pdf](http://www.acf.hhs.gov/grants/open/foa/files/HHS-2014-ACF-ACYF-AEGP-0950_0.pdf) There is a definition of SMART on pages 8-9. No specific format is required, but rather recommended in the federal guidance.

4. **Title V CFDA 93.235 Page 9 of 33, Proviso 34.49 Emerging Programs Page 11 of 28, and Proviso 34.50 Evidence-based Programs page 13 of 30, all require a current third party audit that indicates the applicant has the infrastructure and experience to efficiently and effectively manage the funding applied for and reflects the latest completed independent financial audit and the organization's response to any identified audit exception.**

**Question: Is it the Legislature (provisos) and DHEC's (Title V) intent to qualify one organization that has such an audit and will an applicant who does not have said audit be considered ineligible and rejected from review by the review panel for all 3 RFGA's? Why is the third party audit a prerequisite rather than a requirement of awarded funds?**

DHEC cannot respond concerning the intent of the Legislature. Proviso 34.49 requires applicants to provide a current third party audit that indicates the applicant has the infrastructure and experience to efficiently and effectively manage the funding applied for. Proviso 34.50 requires a recent third party audit indicating the applicant has sufficient experience and capacity for properly managing the level of funding for which the application is being made. The federal RFGA was made to be consistent with the state proviso RFGAs.

5. **State Proviso 34.50 Evidence-Based Programs Page 8 of 30 item g. – the revised RFGA does not specify the budget contain 15% for a third party evaluator and no more than 10% of the total dollars (\$546,972) requested will be used for in-direct costs associated with administration expenses.**

**Question: Why the change for budget requirements on a much larger amount of money (\$546,972) for Proviso 34.50 Evidence-Based vs. the smaller budget for Proviso 34.49 Emerging Programs (\$100,000) and especially when an IRB Certification is required for Proviso 34.50?**

Proviso 34.49 requires that an applicant must allocate a minimum of 15% of its budget for a qualified third party evaluator and 10% on administration cost. Proviso 34.50 has no such requirement. The RFGAs were modified to reflect the language in the provisos.

6. **Proviso 34.49 Emerging Programs Page 4 of 28 and Proviso 34.50 Evidence-Based Page 5 of 30 specify an organization, the national Abstinence Education Association (NAEA), as the only organization that can certify the program/curricula defined within the RFGA as meeting and in compliance with all of the federal A—H Title V Section 510 definition of abstinence education and certification must be dated prior to submission of the application packet.**

**Question: Is it the legislature intent to qualify only one organization (NAEA) to provide the required certification for A-H compliance when there are other national organizations able to provide certification and if an applicant does not have the NAEA certification will the application be considered ineligible and rejected from the review panel?**

DHEC cannot respond regarding the intent of the Legislature, but only the requirements set forth in the provisos. Proviso 34.49 requires, prior to application, that proposed programs/curricula be certified by the National Abstinence Education Association (NAEA) as meeting and being in compliance with all of the Title V, Section 510 A-H requirements for abstinence-until-marriage education programs. Proviso 34.50 requires that proposed programs/curricula must be certified by the NAEA as meeting and being in compliance with all of the Title V, Section 510 A-H requirement for abstinence-until marriage education programs.

- 7. Proviso 34.49 Emerging Programs page 12 of 28 item C2, applications will receive 5 points for (b) the applicant has been utilizing the identified curriculum/support materials for at least two years.**

**Question: Was it the legislature's intent for organizations (that may have years of experience serving adolescents with evidence-based and medically accurate curricula) to only allow curricula that has been used two years or longer especially considering these are "Emerging Programs" and if an applicant has one year or less experience implementing the identified curriculum, will the applicant lose points under the Organization's Qualifications section of the RFGA?**

DHEC cannot respond regarding the intent of the Legislature. Proviso 34.49 states that applicants will be given priority that have, for at least two years prior to application, effectively implemented in South Carolina the program/curricula for which funding is being applied. Application scoring will reflect this prioritization.

- 8. Proviso 34.49 Emerging Programs page 7 of 28 Proviso 34.50 Evidence-Based Programs page 9 of 30, and Title V page 8 of 33 state the following certifications must be included in the Appendices of both RFGA's: Certification Regarding environmental Tobacco Smoke PL 103-227, Confidentiality Certification, School District Certification, and Formal Partnership Certification.**

**Question: Is it the intent of the Legislature (and DHEC for Title V) that applicants use specific certifications and are there examples/forms/templates of the required certifications; and if the applicant does not submit the required certifications, will the applications be considered ineligible and rejected from review by the review panel?**

DHEC cannot respond regarding the intent of the Legislature. SCDHEC is required by Title V, to ensure that any sub award recipients comply with PL 103-227 Environmental Tobacco Smoke Certification. This certification is included under the state proviso RFGAs in order to be consistent with the federal requirement. The other certifications are required to ensure that applicants are able to execute the scope of work expected by the RFGAs in a manner that is consistent with state proviso and federal requirements.

- 9. Proviso 34.49 Emerging Programs page 8 of 28 states that DHEC is seeking grantees committed to and experienced in providing localized medically accurate and A-H compliant abstinence-until-marriage education services/activities and then according to**

**page 9 of 28 grantees are directed to choose targeted county/counties and will be expected to target a minimum of one Priority Area 1 county location.**

**Question: Is it the Legislature's intent to stretch \$85,000 (after \$15,000 set aside for IRB) of funding to serve multiple areas and counties (not localized) and if applicants serve only one area (containing multiple counties) other than Priority Area 1, will the application lose value points or be considered ineligible and therefore rejected from review by the review panel?**

DHEC cannot respond regarding the intent of the Legislature. However, DHEC believes there is a public health reason to have priority counties, where the need, based on rates, is highest.

- 10. Title V CFDA 93.235, page 3 of 33, the revised wording for Item C Cost Sharing/Match Requirements, states that South Carolina will utilize State funds provided through Proviso 34.50 and possibly Proviso 34.49 to fund the match for Title V.**

**Question: Was it the intent of the Legislature, with the mandated criteria under Proviso 34.49 and 34.50, to 'disqualify' most applicants in order to make available the Teen Pregnancy Prevention – Abstinence funds for the match for Title V, especially for Title V applicants who are unable to show enough "in-kind" (classroom space, class representative, equipment) because they do not provide direct abstinence education for adolescents? How can available funds be "match funds" for another grant (Title V) and "program funds" at the same time?**

DHEC cannot respond regarding the intent of the Legislature. Proviso 34.50 states that applicants contracted to provide SC Title Section 510 funding will be given priority in order to meet the State's Title V Section 510 federal match requirement. Applicants that are not contracted with to implement services under Title V Section 510 funding will not be disqualified for funding under Provisos 34.50 or 34.49.

- 11. Title V CFDA 93.235 Page 5 of 33 the revised RFGA states that applicants must provide evidence of program effectiveness – it is "recommended" but not required, that the applicant use one of the three abstinence-only curricula from the list of 31 Evidence based Teen Pregnancy Prevention Programs (developed under the administration of President Obama).**

**Question: Who (legislature or DHEC personnel) has made this list of 31 Evidence based programs (most are not compliant with A – H) a recommended source for appropriate abstinence education curricula?**

Current federal guidelines for Title V grantees encourages states to review effective programs, and the federal guidance references the three Abstinence Education Evidenced-Based programs included in the list. DHEC personnel had no involvement in creating the list.

- 12. Title V CFDA 93.235 Page 14 of 33 Organization Qualifications, Item 2b, organizations that have used the identified curriculum for at least two years will receive more points.**

**Question: Is it DEHC's intent to penalize organizations (with possibly many years of experience delivering evidence-based and medically accurate curricula) for offering evidence-based and medically accurate curricula the applicant has worked with for one year or less? Where did the language for the two year criteria (also found in Proviso 34.49 Emerging Programs) originate?**

The provisos include the two year criteria. For consistency purposes, the two-year criteria will also apply to the federal grant.

**13. Title V CFDA 93.235 Page 14 of 33 Program Narrative- 20 points, Item 2. Higher points will be received by applications focusing efforts statewide.**

**Question: Is it DHEC's intent to penalize organizations who apply for a fraction of Title V funds in order to serve a portion of the state rather than a statewide effort? Is DHEC favoring a larger organization, with statewide efforts, which does not include direct abstinence education services for adolescents?**

DHEC, through its grant agreement with the federal government, is committed to increasing the reach of abstinence education across the state. SCDHEC has described its efforts to guide program activities across all 46 counties in the state in its application and workplans with the federal government. It is appropriate for SCDHEC to award more points to applicants that have a larger geographic scope. An applicant that does not provide statewide efforts or scope will not be excluded from award and funding consideration.

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